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PATENT APPLICATION

1647

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FEE AUTHORIZATION / AMENDMENT TRANSMITTAL LETTER

Attorney's Docket No:
 A-451F
 Group Art Unit
 1647

Serial No. 09/211,297
 Filing Date December 14, 1998
 Examiner DeBerry, R.

In Re Application of
 Boyle et al.

For
 Osteoprotegerin Binding Proteins

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

- ☒ Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a):
 - ☐ One month of original due date (\$110.00)
 - ☐ Two months of original due date (\$390.00)
 - ☒ Three months of original due date (\$890.00)
 - ☐ Four months of original due date (\$1,390.00)
 - ☐ Five months of original due date (\$1,890.00)
- ☒ A response in connection with the matter for which this extension is requested:
 - ☒ is filed herewith.
 - ☐ has been filed.
 - ☐ The response is the filing of a continuing prosecution application, the prior application having an express abandonment conditioned on the granting of a filing date to the continuing application.
- ☒ The accompanying papers include amended claims for which no additional fee is required.
- ☐ The accompanying papers include amended claims the fee for which has been calculated as follows:

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CLAIMS AS AMENDED

(1)	(2) Claims remaining After amendment	(3)	(4) Highest number Previously paid for	(5) No. of Extra claims present	(6) Rate	(7) Additional Fee
Total Claims	*	Minus	**	= 0	x \$18	= \$ 0.00
Indep. Claims	*	Minus	***	= 0	x \$80	= 0.00
<input type="checkbox"/> First Appearance of a multiple dependent claim					+ \$270	= 0.00
Total Additional Fee for this Amendment						\$0.00

- * If the entry in column 2 is less than the entry in column 4, write "0" in column 5.
 - ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 - *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed.
- ☐ The following other fees are incurred by the accompanying papers.

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 01 FC:117

Please charge Deposit Account No. 01-0519 in the name of Amgen Inc. in the amount of \$ 890.00. A duplicate copy of this petition is attached.

- ☒ If an additional extension of time is required, please consider this a request therefore.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 01-0519.

Please Send Future Correspondence To:
 US Patent Operations/RBW
 Dept. 4300, M/S 27-4-A
 AMGEN INC.
 One Amgen Center Drive
 Thousand Oaks, California 91320-1799

Robert B. Winter
 Attorney/Agent for Applicant(s)
 Registration No.: 34,458
 Phone: (805) 447-2425
 Date: September 12, 2001

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EL198797385US
 Date of Deposit: September 12, 2001
 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.
Lynne Buchsbaum Printed Name
Lynne Buchsbaum Signature



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MP

Applicant(s): Boyle et al.

Serial No.: 09/211,297

Group Art Unit No.: 1647

Filed: December 14, 1998

Examiner: DeBerry, R.

For: Osteoprotegerin Binding Proteins

Docket No.: A-451F

RESPONSE AND AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

This is in response to the Office Action dated March 12, 2001 in which Claims 37-57 are rejected under 35 U.S.C. 112, first and second paragraphs. Reconsideration and withdrawal of the rejections are requested.

Please amend the application as follows:

In the claims:

Please replace claims 37 and 54 with the following:

DJ

37. A composition comprising an antibody or fragment thereof which specifically binds to an epitope of an osteoprotegerin binding protein and a pharmaceutically acceptable diluent, carrier, solubilizer, emulsifier, preservative and/or adjuvant, wherein the antibody or fragment is present in an amount effective to inhibit bone resorption in a mammal, and wherein the osteoprotegerin binding protein comprises the amino acid sequence of Figure 2 (SEQ ID NO: 37), Figure 4 (SEQ ID NO: 39), a naturally occurring variant thereof, a soluble form thereof, or a fragment thereof.

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Lynne Buchsbaum
Printed Name

Lynne Buchsbaum
Signature